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Date: August 6, 2001

Docket No.: 2520-0122P

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a Request for filing a ☒ continuation ☐ divisional  
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 08/793,121 filed on April 21, 1997,  
the entire contents of which are hereby incorporated by  
reference,  
by

Masahiro IWAMOTO, Sumihare NOJI and Toshikazu NAKAMURA

for

THERAPEUTIC AGENT FOR CARTILAGINOUS DISEASES

1. ☒ Enclosed is an application consisting of specification,  
claims, declaration and drawings/photographs (if  
applicable).
2. ☒ The filing fee has been calculated as follows:

	BASIC FEE		LARGE ENTITY	SMALL ENTITY
	NUMBER FILED	NUMBER EXTRA	RATE      FEE	RATE      FEE
<b>TOTAL CLAIMS</b>	19-20 =	0	x 18 = \$0.00	X 9 = \$0.00
<b>INDEPENDENT CLAIMS</b>	3-3 =	0	x 10 = \$0.00	X 40 = \$0.00
<input type="checkbox"/> <b>MULTIPLE DEPENDENT CLAIMS PRESENTED</b>			+ \$270.00	+ \$135.00
	<b>TOTAL</b>		\$710.00	\$0.00

3. ☒ A check in the amount of \$710.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
- a. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 08/793,121, filed on April 21, 1997, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No.                      filed in                      on under 35 U.S.C. § 119.--
- b. ☒ --This application is a ☒ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 08/793,121, filed on April 21, 1997 and for which priority is claimed under 35 U.S.C. § 120. Application No. 08/793,121 is the national phase of PCT International Application No. PCT/JP95/00121 filed on January 30, 1995 under 35 U.S.C. § 371. This application also claims priority of Application No. 6-218164 filed in Japan on August 19, 1994 under 35 U.S.C. § 119. The entire contents of each of the above-identified applications are hereby incorporated by reference.--

6. ☒ Enclosed is/are eight (8) sheet(s) of formal drawings and/or photographs.
- 7a. ☐ A statement claiming small entity status was filed in prior Application No. 08/793,121 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.
- 7b. ☐ The current application qualifies for small entity status.
8. ☒ The prior application is assigned to Sumitomo Pharmaceuticals Co., Ltd..
9. ☐ A Preliminary Amendment is enclosed.
- 10a. ☐ Priority of Application No(s). \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on \_\_\_\_\_.
- 10b. ☒ Priority of International Appln. PCT/JP95/00121 filed on January 30, 1995 under the Patent Cooperation Treaty and Japanese Application No. 6-218164 filed in Japan on August 19, 1994 under 35 U.S.C. § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000  
  
or  
Customer No. 2292
13. ☒ An extension of time for five (5) month(s) until August 8, 2001 has been submitted in parent Application No. 08/793,121 in order to establish co-pendency with the present application.
14. ☐ Also enclosed herewith is the following:  
  
\_\_\_\_\_  
  
\_\_\_\_\_

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

John W. Bailey, #32,881

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Attachments

(Rev. 01/23/01)

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